

**Baker & Hostetler LLP**

45 Rockefeller Plaza  
New York, NY 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Nicholas J. Cremona  
Michael R. Matthias

*Attorney for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and for the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

GERALD BLUMENTHAL,

Defendant.

Adv. Pro. No. 10-04582 (SMB)

**STIPULATION EXTENDING TIME TO RESPOND**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned herein, that the date before which defendant Gerald Blumenthal (“Defendant”) may move, answer or otherwise respond to the amended complaint (the “Complaint”) filed in the above-captioned adversary proceeding is extended up to and including January 15, 2016.

The purpose of this stipulated extension is to provide additional time for Defendant to answer, move against, or otherwise respond to the Complaint. Nothing in this Stipulation is a waiver of the Defendant’s right to request from the Court a further extension of time to answer, move or otherwise respond and/or the Trustee’s right to object to any such request.

Except as expressly set forth herein, the parties to this Stipulation reserve all rights and defenses they may have, and entry into this Stipulation shall not impair or otherwise affect such rights and defenses, including without limitation any defenses based on lack of jurisdiction.

Undersigned counsel for the Defendant: (i) expressly represent that as of the date of this stipulation, Defendant is not deceased; (ii) expressly agree to notify the Trustee in writing of the death of Defendant within five (5) days of the date upon which counsel first learns of Defendant’s death, and to provide to the Trustee the county and state of residence at the time of death of Defendant; and (iii) expressly agree to reasonably cooperate with the Trustee, where applicable, by, among other things, (a) advising the Trustee whether a probate has or will be filed, (b) filing a stipulation substituting Defendant’s estate or personal representative/executor and/or (c) advising the Trustee who will represent Defendant’s estate herein and in any probate proceeding. For the avoidance of doubt, the parties to this stipulation expressly agree that the obligations set forth in this paragraph shall continue beyond the time period addressed by the stipulation and shall be ongoing for the duration of the above-captioned adversary proceeding.

This Stipulation may be signed by the parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the

same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original. This Stipulation is entered into pursuant to the Order Granting Supplement Authority To Stipulate To Extensions of Time To Respond And Adjourn Pre-Trial Conferences (ECF. No. 10106) in the above-captioned case (No. 08-01789 (SMB)).

Dated: December 9, 2015

Of Counsel:

**BAKER & HOSTETLER LLP**

11601 Wilshire Boulevard, Suite 1400  
Los Angeles, California 90025-0509  
Telephone: 310.820.8800  
Facsimile: 310.820.8859  
Michael R. Matthias  
Email: mmatthias@bakerlaw.com

**BAKER & HOSTETLER LLP**

By: s/ Nicholas J. Cremona

45 Rockefeller Plaza  
New York, New York 10111  
Telephone: 212.589.4200  
Facsimile: 212.589.4201  
David J. Sheehan  
Email: dsheehan@bakerlaw.com  
Nicholas J. Cremona  
Email: ncremona@bakerlaw.com

*Attorney for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC  
and for the Estate of Bernard L. Madoff*

**MILBERG LLP**

By: s/ Joshua E. Keller

One Pennsylvania Plaza, 49<sup>th</sup> Floor  
New York, New York 10119  
Telephone: 212.946.9318  
Facsimile: 212.504.8142  
Joshua E. Keller  
Email: jkeller@milberg.com

*Attorneys for Defendant*

**TRIPP SCOTT**

110 Southeast 6 Street  
Fort Lauderdale, Florida 33301  
Telephone: 954.525.7500  
Facsimile: 954.761.8475  
Charles M. Tatelbaum  
Email: cmt@trippcott.com

*Pro Hac Vice for Defendant*